

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

THOMAS E. HALL, on behalf of himself	)	CASE NO. 1:09-CV-00800
and all others similarly situated,	)	
	)	JUDGE POLSTER
Plaintiffs,	)	
	)	
vs.	)	
	)	
VITRAN EXPRESS, INC.,	)	
	)	
Defendant.	)	

**MOTION OF DEFENDANT VITRAN EXPRESS, INC. TO EXCUSE  
PERSONAL ATTENDANCE AT CASE MANAGEMENT CONFERENCE**

Pursuant to Local Rule 16.3(b) and the Court's Case Management Conference Scheduling Order, Defendant Vitran Express, Inc., by and through counsel, moves the Court for an order excusing the attendance in person of its responsible representative(s) from the Case Management Conference scheduled for September 30, 2009. For grounds, the individual(s) most knowledgeable of the case are located out of state. Attendance at the conference will necessitate the expenditure of significant resources in terms of travel time and costs. A responsible representative will be available by telephone during the conference. In addition, lead counsel for

Defendant will be in attendance. Therefore, it is respectfully requested that Defendant be excused from personally appearing at the conference.

Respectfully submitted,

/s/ Tyler L. Mathews

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Attorneys for Defendant Vitran Express, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16th day of September, 2009, a copy of the foregoing Motion to Excuse Personal Attendance at Case Management Conference was filed electronically. Notice of the filing will be sent by operation of the Court's electronic filing system.

/s/Tyler L. Mathews

Tyler L. Mathews (0063759)

One of the Attorneys for Defendant  
Vitran Express, Inc.